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Appl. No. 09/272,621

### **REMARKS/ARGUMENTS**

Favorable reexamination of the captioned application is respectfully requested.

#### **A. SUMMARY OF THIS AMENDMENT**

By the current amendment, Applicants:

1. Editorially amend the specification.
2. Cancel claims 1 - 9 without prejudice or disclaimer.
3. Amend claims 25 - 29 , 39 - 41 for sake of punctuation (either adding a period after the claim number or, in the case of claim 41, removing an extra period at the end of the claim).
4. Amend independent claims 10, 17, 23, 32, 37, and 39, as well as dependent claims 18 - 22, 24 - 29, 31, 33 - 34, 36, and 40.
5. Respectfully traverse all prior art rejections.

#### **B. PATENTABILITY OF THE CLAIMS**

Claims 1-6, 9, 23 and 24 stand rejected under 35 USC 102(b) as being anticipated by WO 96/04762 to J. Johnston (see enumerated paragraph 2 of the Office Action). Claims 10-12 and 15 stand rejected under 35 USC 102(b) as being anticipated by U.S. Patent 5,539,744 to Chu et al (see enumerated paragraph 3 of the Office Action). Claims 17-20 stand rejected under 35 USC 102(b) as being anticipated by U.S. Patent 5,726,985 to Daniel et al (see enumerated paragraph 4 of the Office Action). Claims 7, 8, 13, 14, 16 and 25-41 stand rejected under 35 USC 103(a) as being unpatentable over WO 96/04762 to J. Johnston in view of U.S. Patent 5,539,744 to Chu et al (see enumerated paragraph 6 of the Office Action). Claim 21 stands rejected under 35 USC 103(a) as being unpatentable over U.S. Patent 5,726,985 to Daniel et al in view of WO 96/04762 to J. Johnston (see enumerated paragraph 7 of the Office Action). Claim 22 stands rejected under 35 USC 103(a) as being unpatentable over U.S. Patent 5,726,985 to Daniel et al in view of U.S. Patent 5,539,744 to Chu et al (see enumerated paragraph 8 of the Office

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Action). All prior art rejections are respectfully traversed for at least the following reasons.

All remaining independent claims (independent claims 10, 17, 23, 32, 37, and 39) have been amended at least to specify that the functionalities at issue are ATM cell-handling functionalities. That ATM cell-handling functionalities are disclosed is supported throughout the original disclosure, such as (for example), page 8, lines 31+; page 11, lines 23+; page 12, lines 15+; and page 13, line 1+.

The Office Action appears to confuse the services of peripherals 21 – 23 (Fig. 2) of WO 96/04762 to J. Johnston with the processing means 52 – 55 of the line interface units (Fig. 3). It is the processing means 52 – 55 of the line interface units that can be programmed by Johnston's microprocessor 38. The Johnston processing means 52 – 55 are programmed primarily for such signal level conversion issues as DTMF and Mu-law to A-law, etc. (*see*, e.g., page 27). As the Office Action appears to appreciate, WO 96/04762 to J. Johnston does not relate to ATM and nowhere teaches or suggests the programming or reallocation of any processor for the purpose of changing the way the processor handles ATM cells in a telecommunications node such as a base station node, a base station controller node, or a mobile switching center node. Thus, WO 96/04762 to J. Johnston does not teach or suggest, or even remotely touch, a reallocation of ATM-cell handling services performed by such nodes.

Cognizant that Johnston does not concern ATM, the Office Action has concocted a combination of WO 96/04762 to J. Johnston with U.S. Patent 5,539,744 to Chu et al. While Chu may concern an ATM system<sup>1</sup>, the undersigned fails to find any indication of a configurable ATM cell-handling unit or processor, and certainly not in the col. 9, line 1 – 18 passage cited in the Office Action. The undersigned believes reliance on Chu now

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to be misplaced, but should the Examiner persist with the rejection a more definite identification of the "software configurable board unit" is requested.

Neither does U.S. Patent 5,726,985 to Daniel et al provide a basis, either alone or in combination, or rejecting the amended claims. Daniel teaches an EDMA unit 40 which is effectively a slave co-processor under control of APU 36. The purpose of the EDMA unit 40 is Enhanced Direct Memory Access. Daniel does not teach or suggest, either alone or in combination, a change of a ATM cell-handling functionality in an architecture such as that claimed nor in accordance with resource requirement of a telecommunications node.

The applied references, both alone and in combination, lack provision of reconfigurable or reallocatable ATM cell-handling activities such as those described in the specification. The signal level and other programmable features of the applied references provide no basis for the person skilled in the art to conclude that sophisticated ATM-cell handling activities of a telecommunications node (base station, base station controller, or mobile switching center) could be reconfigured or reallocated, e.g., on the fly, in accordance with perceived ATM traffic.

The undersigned opines that original claims 37 – 41 were not specifically addressed in the Office Action. While the claim numbers per se were encompassed in the rejections, there is no allegation as to where, in any reference, there is an allocation of differing types of telecommunications functionalities among the functional processors of the node so that there is an essentially equal bandwidth demand for all board devices.

In view of the foregoing and other considerations, it is respectfully submitted that all prior art rejections should be withdrawn and all claims allowed. Other claims such as

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<sup>1</sup> Applicant observes an base station 100 and MSC 120 in U.S. Patent 5,539,744 to Chu et al, but no explicit reference to a base station controller node.

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dependent claims have separate patentable merit, but advocacy concerning same should not be necessary in view of the foregoing patentable considerations of the independent claims.

**C. MISCELLANEOUS**

The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application.

Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: 

H. Warren Burnam, Jr.

Reg. No. 29,366

HWB:lsb

1100 North Glebe Road, 8th Floor

Arlington, VA 22201-4714

Telephone: (703) 816-4000

Facsimile: (703) 816-4100